

Hunters Point Press Responses – July 31 – October 4, 2018

July 31, 2018

SF Chronicle, Jason Fagone/Cynthia Dizikes

Questions:

Hi Michele,

We wanted to follow up with you on Rep. Nancy Pelosi's request to have the EPA's inspector general look into the cleanup of the former hunters point naval shipyard and whether the EPA properly oversaw the Navy and Tetra Tech and properly provided information to the city about possible problems and hazards. Does the EPA have a response to some of the questions Pelosi has raised in asking for this review?

Response:

Please see below for a statement that you can attribute to an EPA Region 9 spokeswoman.

"We believe an Office of Inspector General audit will provide the public additional confidence in EPA's oversight of the Navy's cleanup at Hunters Point Naval Shipyard."

August 16, 2018

SF Examiner, Laura Waxmann

Questions:

Hi Michele,

Hope all is well with you. I'm working on a story about the Parcel G testing plan at the Hunters Point Shipyard, and would like to arrange a time for a phone interview to talk about the Navy's testing plan and process by next Wednesday (Aug. 11) at the latest.

Here are a few preliminary questions regarding the Parcel G work plan:

Has the US EPA fully reviewed the Parcel G work plan and if so, what improvements are needed, if any?

Is it standard for the EPA comment period on plans like these to occur at the same time as the public's?

What led to the EPA's independent review of Parcels G and D that found data inaccuracies of up to 97 percent in Tetra Tech's work last last year? What flaws were discovered?

What previous assessment/testing has the U.S. EPA conducted at Parcel G?

What authority does the EPA have over the Navy to assure that the procedures are followed in a way that doesn't lead to more retesting? Does the EPA feel that public trust in that process needs to be restored and, if so, how?

Community members have expressed that they want different people to oversee Hunters Point from now on. Has anyone been reassigned in the EPA, and does the EPA have any authority to see that regulators at other involved agencies step aside?

Responses:

Q1: Has the US EPA fully reviewed the Parcel G work plan and if so, what improvements are needed, if any?

A1: Yes, EPA evaluated the Navy's Parcel G work plan based on our independent review of Parcel G soil sample data. EPA's August comments to the Navy reinforce previous comments recommending a scientifically based strategy to ensure protectiveness of the property for future use. EPA's comments, which we sent to the Navy on August 14, 2018, can be found here: [[HYPERLINK "https://semspub.epa.gov/src/document/09/100009276"](https://semspub.epa.gov/src/document/09/100009276)]

Q2: Is it standard for the EPA comment period on plans like these to occur at the same time as the public's?

While the public is always welcome to comment on any Navy document related to site cleanup, it is not standard to have a formal public comment period for a Superfund site testing work plan. Due to the highly unusual and serious situation caused by data falsification, as well as a high degree of public interest in the topic, the Navy agreed to incorporate a formal public comment period into the review process.

In cases of a formal public comment period, it is typical for EPA and other regulatory agencies to submit comments on a draft document before it is circulated for public comment. This allows the lead agency and regulatory agencies to resolve any issues identified initially prior to presenting the draft document to the public. All agencies would then consider public comments before finalizing the document. However, in the interests of transparency and expediency, the Navy chose to have the comment periods occur simultaneously in this case.

Q3: What led to the EPA's independent review of Parcels G and D that found data inaccuracies of up to 97 percent in Tetra Tech's work last last year? What flaws were discovered?

EPA conducted an independent review of soil sample data from several parcels as part of our assessment of the impacts of Tetra Tech EC Inc.'s alleged failures to follow the cleanup work plan at Hunters Point Naval Shipyard.

EPA's assessment of the data was broader than the Navy's, including looking more closely for signs of potential data quality problems in addition to signs of potential falsification. For example, EPA recommended resampling when data were missing or when different data collection methods did not produce consistent results.

You can find EPA's report of our findings here: [[HYPERLINK "https://semspub.epa.gov/work/09/100006302.pdf"](https://semspub.epa.gov/work/09/100006302.pdf)]

Q4: What previous assessment/testing has the U.S. EPA conducted at Parcel G?

The Navy is the lead on cleanup at Parcel G. EPA, in its oversight role, conducts site visits and reviews documents related to Navy plans, testing, cleanup work, reports, and other Navy site work. In addition,

in some areas of Parcel G, an EPA health physicist has conducted independent scans by hand, and if needed, the Navy conducted more cleanup.

Q5: What authority does the EPA have over the Navy to assure that the procedures are followed in a way that doesn't lead to more retesting? Does the EPA feel that public trust in that process needs to be restored and, if so, how?

The Navy is the lead agency responsible for the investigation and cleanup of the Hunters Point Naval Shipyard. EPA and its state regulatory agency partners oversee and enforce Navy compliance with the Comprehensive Environmental Response Compensation and Liability Act (commonly called the Superfund law) and other requirements to ensure the cleanup at HPNS protects human health and the environment.

As for retesting of Parcel G, EPA and state regulating agencies will be closely overseeing this process and taking split samples for independent analysis.

Q6: Community members have expressed that they want different people to oversee Hunters Point from now on. Has anyone been reassigned in the EPA, and does the EPA have any authority to see that regulators at other involved agencies step aside?

In response to this serious issue, EPA has assembled a team of national experts—in radiation, statistics, geology and other areas—from throughout the agency, and for the past three years they have made the Hunters Point Naval Shipyard cleanup a top priority. As additional areas of expertise are needed, they are brought in through agency or contract staff.

EPA and its state regulatory agency partners oversee and enforce Navy compliance with the Comprehensive Environmental Response Compensation and Liability Act (commonly called the Superfund law) and other requirements to ensure the cleanup at HPNS protects human health and the environment.

September 12, 2018

Inside EPA, Suzanne Yohannan

Question: I was wondering if you could tell me whether EPA submitted comments to the Navy on its five-year review for the Hunters Point Shipyard cleanup. If so, could I obtain a copy of the comments?

Response: We anticipate submitting our comments on the Navy's five-year review for the Hunters Point Shipyard cleanup within the next week. We can share a copy with you at that time.

September 14, 2018

SF Chronicle, Jason Fagone/Cynthia Dizikes

Question:

Hi Michele,

Apologies for the late email, but we have just jumped on a breaking shipyard-related story about the discovery of a radium deck marker in the Parcel A rescanning. Hoping to get a comment from you in

light of previous assurances the agency has made about the this part of the shipyard being free of contamination.

In light of this find, does the agency think that Parcel A should be re-checked more thoroughly? If not, why not? Should residents be concerned that this object was nearby and never flagged before? If not, why not?

We are on deadline; this story is scheduled to run in the paper tomorrow.

Response:

The Navy is the lead agency on the cleanup at the Hunters Point Naval Shipyard Superfund site and the California Department of Public Health is the lead agency for radiation scanning on Parcel A at The Shipyard development. EPA, along with its state regulatory agency partners, oversees and enforces Navy compliance with the Superfund law and other requirements to ensure the cleanup process – including Parcel A scanning – protects human health and the environment.

During the Parcel A scanning process, CDPH discovered one Navy-related object, a deck marker (1.5 inches in diameter), that contains radiological material. EPA oversaw the immediate removal of the object. Due to its location and level of radiation, the object was not causing harm to residents or workers. The cleanup process for HPNS requires Navy-related radiological material be cleaned up upon discovery (as opposed to other types of radiological material, such as naturally occurring radiation in granite).

EPA is working with the Navy to determine if and how the site cleanup needs to be adjusted. EPA supports completing scanning at Parcel A on a faster timeline than originally planned and making the scanning process more thorough at the Hunters Point site.

EPA remains committed to ensuring that the Bayview-Hunters Point community is protected from exposure to radiation and that the Hunters Point Naval Shipyard Superfund site can be safely used for work, recreation, and residential purposes.

Follow-up question:

Quick follow up, can we get the actual counts per minute and dose rate in millirems/hr from the scan and from the object after it was dug up?

Response:

Please contact the Navy and CDPH for that information. Here are some contacts for you:

Navy – Bill Franklin, [[HYPERLINK "mailto:William.d.franklin@navy.mil" \t "_blank"](mailto:William.d.franklin@navy.mil)], [[HYPERLINK "tel:\(619\)20524-5433" \t "_blank"](tel:(619)20524-5433)]

CDPH – Dale Schornack, [[HYPERLINK "mailto:Dale.Schornack@cdph.ca.gov" \t "_blank"](mailto:Dale.Schornack@cdph.ca.gov)], [[HYPERLINK "tel:\(916\)20558-1738" \t "_blank"](tel:(916)20558-1738)]

Follow-up question:

Michele, EPA's statement to us last night said that EPA "oversaw" the removal of this object. EPA clearly had a lead role here. Can you explain why you are sending us to other agencies and can't provide the information?

Response:

EPA was onsite for the removal of the deck marker and oversaw the process. EPA did not take direct radiation measurements of the object; that was handled by the Navy and CDPH.

By the way, I am copying my colleague, Soledad Calvino, on this response, as she will be taking over the NorCal beat for EPA Region 9 starting next week. For future requests (after today), please contact her directly.

September 20, 2018**Inside EPA, Suzanne Yohannan**

Question: I was wondering if EPA Region 9 submitted its comments yet to the Navy on its five-year review for the Hunters Point Shipyard cleanup. If it has, could I obtain a copy of EPA's comments?

Response:

Hi Suzanne,

We anticipate submitting our comments on the Navy's five-year review for the Hunters Point Shipyard cleanup by the end of this week. I can share a copy with you after that.

September 20, 2018**SF Chronicle, Jason Fagone/Cynthia Dizikes****Question:**

Hi Soledad (Maria?). We were sending questions to Michele before and she said you're picking up communications for Region 9 starting this week, so we are sending this one to you.

We're working on a follow-up story about the radium deck marker on Parcel A and questions/concerns about what it means. We just want to know if EPA has a position on what should happen next with the walkover survey of Parcel A. Due to the finding of the deck marker, should the CDPH radiation survey be changed or expanded, to make it more thorough? And does EPA think there might be other contamination on the parcel -- radiological, chemical, or biological -- that has been missed in prior searches?

Thanks. We would need a response by noon tomorrow.

Response:

EPA is working with its regulatory partners, the State of California Department of Public Health and Department of Toxic Substances Control, and the Navy to determine how the site cleanup needs to be adjusted. EPA supports the new actions already in progress to complete scanning portions of Parcel A that are currently under construction starting in the next few weeks, which is a faster timeline than originally planned. To address uncertainty, EPA is working hard with other regulators and the Navy to explore all options as soon as possible to make the radiological testing process more thorough at the Hunters Point site.

EPA remains committed to ensuring that the Bayview-Hunters Point community is protected from harmful exposure to radiation and that the Hunters Point Naval Shipyard Superfund site can be safely used for work, recreation, and residential purposes.

September 24, 2018

Inside EPA, Suzanne Yohannan

Responding to question (9/20/18): I was wondering if EPA Region 9 submitted its comments yet to the Navy on its five-year review for the Hunters Point Shipyard cleanup. If it has, could I obtain a copy of EPA's comments?

Response:

Hi Suzanne,
Please see attached.
Thank you.

October 3, 2018

The Verge, Rachel Becker

Q1. I understand that the EPA told the Navy in 2017 that 90 percent of the work TetraTech did in Parcel B was suspect, and 97 percent in Parcel G was not reliable, as well. Is my interpretation of those numbers, from this letter correct?

[HYPERLINK

"https://www.peer.org/assets/docs/epa/4_9_18_EPA_comment_summary.pdf?eType=EmailBlastContent&eld=71b47782-14d8-4693-82ec-e9c827dd7ce4" \t "_blank"]

Response: EPA, DTSC, and CDPH found signs of potential falsification, data manipulation, and/or data quality concerns that call into question the reliability of soil data in 90% of the total suspect soil survey units in parcel B and 97% of suspect survey units in Parcel G. Please see this link to EPA's findings from our independent review of Parcels B and G soil testing data: [HYPERLINK "https://semspub.epa.gov/work/09/100006302.pdf"]

Q2. Is that the latest assessment? Have those numbers been updated? For example, have other parcels been assessed by the EPA?

Response: Here is a link to EPA's evaluation of soil testing data from Tetra Tech EC Inc. in Parcels D-2, UC-1, UC-2, and UC-3: [HYPERLINK "https://semspub.epa.gov/work/09/100006302.pdf"]

Q3. CDPH says that EPA conducted "conducted a radiological survey of Parcel A in 2002." ([HYPERLINK "https://www.cdph.ca.gov/Programs/CEH/DRSEM/CDPH%20Document%20Library/RHB/Environment/Final%20Hunters%20Point%20-%20Parcel%20A1%20-%20Summary.pdf"]). Can you tell me more about that survey? How was it conducted, and what were the results? Why, then, are folks asking for Parcel

A to be checked again — and how did the scan miss material like that radium-painted dock marker reportedly found at parcel A? ([HYPERLINK "<https://www.sfchronicle.com/bayarea/article/Radioactive-object-found-near-homes-at-Hunters-13228476.php>"])

Response: In 2002, EPA conducted a radiological scanner van survey of Parcel A and navigable roads on other parts of the shipyard. All of the anomalies detected during the scan were attributable to natural occurring sources at levels consistent with what would normally be found in the environment. The radiological scanner van survey gave information related to certain types of potential radiological exposures closer to the surface; it did not address all types of radiation potentially present or deeper locations of contamination. The scanner van survey is also subject to other limitations listed in the attached report, e.g. only limited locations were accessible, asphalt would have shielded some gamma radiation, etc.

The deck marker was found at the bottom of a hillside, in an unpaved area not accessible to a vehicle, near the boundary of Parcel A. This area had not been previously scanned by EPA. In addition, after the Navy transferred Parcel A to the City/County of San Francisco, considerable earthmoving changed the surface of the property. The areas that EPA originally scanned are no longer the surfaces where current residents live.

Q4. Why are the EPA's numbers re: unreliable work so much larger than the Navy's? Is the shipyard safe for the community living in Parcel A, or the rest of the Bayview Hunters Point community living next door?

Response: In regards to the discrepancy in the percentages, EPA's assessment of the data included looking more closely for signs of potential data quality problems in addition to signs of potential falsification. For example, EPA recommended resampling when data were missing or when different data collection methods did not produce consistent results.

Based on the work done and history of the site, we do not believe anyone living or working at Hunters Point faces any health risk. For the entire site, over the past decades, EPA and the state have been monitoring radiological conditions on an ongoing basis to ensure the safety of the surrounding community. For example, we have been reviewing radiological data collected by a variety of contractors from air monitors (both upwind and downwind), groundwater samples, and fence line scans. Environmental regulators have also done independent radiological testing in some locations, such as hand scans, collecting swipe samples, and analyzing duplicate soil samples in independent laboratories.

On Parcel A, the State of California Department of Public Health (CDPH) has almost completed new gamma scans in the location where current residents live and has thus far not found harmful levels of radiation that could expose residents. CDPH did find one Navy ship's deck marker. Due to its location and level of radiation, the object was not causing harm to residents or workers.

The concerns we have about Tetra Tech EC Inc. would not impact the health of current residents in Parcel A or the surrounding community. The areas under question are enclosed under protective covers or inside locked buildings in secured parts of the site. We believe that these

measures, routine monitoring described above, and other protections, including dust controls, are protecting the community as our investigation and clean-up activities proceed.

Q5. What are the EPA's concerns about the Navy's plans to retest the site, and is the EPA satisfied the Navy is addressing those concerns?

Response: Here are links to EPA's comments on Navy drafts of Work Plans to retest the site on March 26, 2018, ([[HYPERLINK "https://semspub.epa.gov/work/09/100009179.pdf"](https://semspub.epa.gov/work/09/100009179.pdf)]) and August 14, 2018, ([[HYPERLINK "https://semspub.epa.gov/work/09/100009276.pdf"](https://semspub.epa.gov/work/09/100009276.pdf)]). The Navy expects to release a revised Work Plan for Parcel G in October 2018. EPA will review that draft to evaluate the Navy's responses to our comments.

Follow-up Q. Is the shipyard STILL a superfund site? (sent on Oct. 4)

Response: The Hunters Point Naval Shipyard comprises over a dozen different parcels. Most of those parcels remain on the Superfund National Priorities List. Parcel A was removed from this list in 1999 and was transferred to the City of San Francisco for development in 2004.

October 4, 2018

SF Chronicle, Jason Fagone/Cynthia Dizikes

We are continuing our reporting of Building 606 at the shipyard. This is the story we did earlier this year:

[[HYPERLINK "https://www.sfchronicle.com/news/article/Amid-a-toxic-landscape-SF-found-a-home-for-its-13101114.php"](https://www.sfchronicle.com/news/article/Amid-a-toxic-landscape-SF-found-a-home-for-its-13101114.php)]

We now understand that in 2007, Tetra Tech and the Navy began to surround Building 606 with Radiological Screening Yards and the soil pads associated with those yards. See attached image (from a Navy and Tetra Tech project document). Tetra Tech was also doing radiological remediation work in close proximity to 606. In May 2007, a city industrial hygienist wrote in an email, "Building 606 will also be adjacent to some of the actual storm sewer remediation activities since the storm drains designated for removal are located on the street in front of the buildings main entrance. At some point, building 606 will be surrounded by the remediation activity on three sides of the building."

City employees working at 606 at the time expressed concerns about the potential health and safety implications for people at the building. And the city industrial hygienist asked explicitly in her email, "Should the Police continue to operate Building 606 during the activity? Do we believe that there is a potential for Police to be exposed to the radiological or other chemical contamination in the excavated soils?"

The police did continue to operate at Building 606, and there are still about 40 city employees working there today. Our questions to the EPA:

-- Why did the EPA continue to allow the lease of Building 606 in 2007 when the city hygienist was raising these questions?

-- Why did the EPA consider it acceptable that "building 606 will be surrounded by the remediation activity on three sides of the building" while people were still working there every day?

-- The city decided to keep its employees at Building 606 after getting a promise from Tetra Tech that the company would provide radiation air sample data from the RSY pads to the city. Records show that Tetra Tech did provide some snapshots of radiation air sample data to the city, but did not provide the data on a regular basis. The city asked for weekly updates and did not receive them. The Navy also declined to provide regular or weekly radiation air sample data to the city. Was any radiation air sample data from the RSY pads surrounding Building 606 ever provided to the EPA? Did EPA ask for it or review it?

-- City emails show that city officials had a difficult time obtaining radiation air sample data from Tetra Tech. Was the EPA aware of this at the time? Did the EPA get involved in any way?

-- Does the EPA have air monitoring records from the RSYs starting in 2007 showing that there was no danger to the people at 606? RSY2 was next to Building 606 on the east, RSY3 was to the south, and RSY4 to the northwest.

-- Did the EPA send a representative to the 11/28/2007 meeting at Building 606 where SFDPH gave a "Safety and Health Presentation" to the building occupants? If so, who attended? Did the EPA present, if so, can you provide that presentation?

-- Given the scope of the data-faking allegations against Tetra Tech — allegations that have been confirmed in multiple investigations, as the EPA has noted — does EPA have confidence in the accuracy of Tetra Tech's radiation air sample data taken at the RSY pads near Building 606? Or is this data now in question?

-- If the radiation air sample data is in question, does the EPA have concerns that people working at Building 606 were put at risk because of their proximity to these pads and this radiological remediation work?

Given our deadline, we need answers to these question by the end of the day on Friday. Let us know if you have any questions and thank you for your time.

Response:

The Navy is the lead on the cleanup at this site and is therefore responsible for maintaining the full Administrative Record, including air monitoring records. Please contact the Navy for data from the time period you are requesting.

During 2007 and subsequently, in any cleanup work done in areas that are potentially radiologically impacted, the Navy contractors protected workers and the public from potential exposure to contamination through a variety of practices. For example, they installed air monitors upwind and downwind of the work area. Water was used to minimize dust production at excavation sites and on streets. Radiological workers wore dosimeters, which are badges that measure how much exposure they have to radiation. Certified radiological experts scanned the tires of trucks and the hands and feet of people leaving a work area. All these practices would have protected workers at Building 606 from radiological contamination from any cleanup work that occurred nearby.

In more recent years, the State Department of Toxic Substances Control industrial hygienists and the Bay Area Air Quality Management District staff have conducted inspections for dust. The Navy's third-party independent contractor oversees radiological work onsite. The Navy routinely sends regulators air monitoring reports from Parcel E-2 work. These reports are available on DTSC's EnviroStor website.